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PATENT APPLICATION

ATTORNEY DOCKET NO. 200308992-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Thomas J. Connor et al.

Confirmation No.: 2781

Application No.: 10/658,713

Examiner: K. S. Joerger

Filing Date: September 9, 2003

Group Art Unit: 3653

Title: SYSTEM AND METHOD FOR DE-SKEWING MEDIA WHEN USING AN AUTOMATIC MEDIA FEEDER

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on August 23, 2006.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500 . At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

☒ A duplicate copy of this transmittal letter is enclosed.

☒

I hereby certify that is is being deposited with the United States Postal Seervice "Express Mail Post Office to Addressee" service under 37 CRF 1.10 on the date indicated above and is address to:
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Respectfully submitted,

Thomas J. Connor et al.

By R. Ross Viguet

R. Ross Viguet

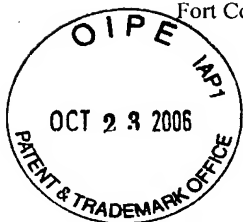
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Docket No.: 200308992-1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas J. Connor et al.

Application No.: 10/658,713

Confirmation No.: 2781

Filed: September 9, 2003

Art Unit: 3653

For: SYSTEM AND METHOD FOR DE-SKEWING
MEDIA WHEN USING AN AUTOMATIC
MEDIA FEEDER

Appellee: K. S. Joerger

APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under § 41.37(a), this brief is filed within two months of the Notice of Appeal filed in this case on August 23, 2006, and is in furtherance of said Notice of Appeal.

The fees required under § 41.20(b)(2) are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37 and M.P.E.P. § 1206:

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|-------|--|
| I. | Real Party In Interest |
| II | Related Appeals, Interferences, and Judicial Proceedings |
| III. | Status of Claims |
| IV. | Status of Amendments |
| V. | Summary of Claimed Subject Matter |
| VI. | Grounds of Rejection to be Reviewed on Appeal |
| VII. | Argument |
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X.	Related Proceedings
Appendix A	Claims
Appendix B	Evidence
Appendix C	Related Proceedings

I. REAL PARTY IN INTEREST

The real party in interest for this appeal is:

Hewlett-Packard Development Company, L.P., a Limited Partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249, Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

There are no other appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

A. Total Number of Claims in Application

There are 25 claims pending in the application.

B. Current Status of Claims

1. Claims canceled: None
2. Claims withdrawn from consideration but not canceled: None
3. Claims pending: 1-25
4. Claims allowed: None
5. Claims rejected: 1-25

C. Claims On Appeal

The claims on appeal are claims 1-25.

IV. STATUS OF AMENDMENTS

No Amendment After Final Rejection has been filed with respect to the present application. Accordingly, the claims enclosed herein as Appendix A are as indicated in the paper filed by Appellant on May 10, 2006.

V. SUMMARY OF CLAIMED SUBJECT MATTER

An embodiment of the invention, as set forth in claim 1, is directed to a system for de-skewing media when using an automatic media feeder, see e.g. paragraph 0014, lines 9-12, and Figure 1A, elements 106 and 155. This embodiment includes a registration guide, see e.g. paragraph 0014, lines 9-12, and Figure 1A, element 106. This embodiment further includes a registration tab, see e.g. paragraph 0014, lines 9-12, and Figure 1A, element 155, disposed to deflect an edge of said media toward said registration guide when the media passes over the registration tab, see e.g. paragraph 0018, lines 4-5, and Figure 2D, elements 110a, 106, and 155.

An embodiment of the invention, as set forth in claim 16, is directed to a method of de-skewing media when using an automatic media feeder, see e.g. paragraph 0014, lines 8-12, and paragraph 0018, lines 8-11. A registration tab is disposed to cooperate with a registration guide in providing de-skewing of media, see e.g. paragraph 0014, lines 8-12, and Figure 2D, element 155. The media is translated in a first direction to pass a first edge of said

media by said registration tab, see e.g. paragraph 0018, lines 1-4, and Figure 2D, elements 110a and 155. The first edge is deflected with the registration tab toward the registration guide, see e.g. paragraph 0018, lines 4-5, and Figure 2D, elements 110a, 106, and 155. A translation force is continued to be applied to the media after at least a portion of the first edge engages the registration guide, thereby de-skewing the media, see e.g. paragraph 0018, lines 5-11.

An embodiment of the invention, as set forth in claim 21, is directed to an automatic photograph feeder, see e.g. paragraph 0011, lines 1-4, and Figure 1A, element 150. This embodiment includes a photographic media input tray, see e.g. paragraph 0014, lines 2-4, and Figure 1A, element 152. This embodiment also includes a media singulator disposed to draw photographic media from said input tray and introduce said media in an imaging area of a host system, see e.g. paragraph 0014, lines 2-4, and Figures 1A and 1B, element 151. This embodiment additionally includes a registration tab, see e.g. paragraph 0014, lines 8-9, Figures 1A and 1B, element 155. This embodiment further includes a media translation mechanism disposed to accept said photographic media from said singulator, see e.g. paragraph 0016, lines 1-6, Figures 1A and 1B, element 154, and to cause an edge of the media to engage said registration tab, wherein engaging said registration tab by said edge causes said edge to deflect towards a registration guide, see e.g. paragraph 0018, lines 1-8, and Figure 2C and 2D, elements 110a, 106, and 155.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether the rejection of claims 1-10 and 12-13 under 35 U.S.C. § 102(b) over JP 01181654 A to Kazunobu et al. (hereinafter "*Kazunobu*") is proper.

Whether the rejection of claims 11 and 16-25 under 35 U.S.C. § 103(a) over *Kazunobu* is proper.

Whether the rejection of claims 14-15 under 35 U.S.C. § 103(a) over *Kazunobu* in view of U.S. patent number 4,634,112 to Silverberg et al., (hereinafter "*Silverberg*") is proper.

VII. ARGUMENT

A. The 35 U.S.C. § 102(b) Rejections over *Kazunobu*

Claims 1-10 and 12-13 have been rejected under 35 U.S.C. §102(b) as anticipated by *Kazunobu*. However, to anticipate a claim under 35 U.S.C. § 102, a reference must teach every element of the claim, see M.P.E.P. § 2131. Appellant respectfully asserts that the applied reference does not teach every element of the claims.

1. Claim 1, 2, 3, 7, 9, 10, and 12

Claim 1 recites “a registration tab disposed to deflect an edge of said media when the media passes over the registration tab.” In rejecting this aspect of the claim, the Appellee alleges that *Kazunobu* teaches a system which includes a registration tab, pressure plate 13, to deflect an edge of the media toward the registration guide, butting plate 101, see page 2 of the Office Action. Appellant respectfully disagrees. In contrast to the above-identified claim limitation, *Kazunobu* discloses a pressure plate which only functions as a sheet pressing means to open and close the gap between a white sheet and a butting plate to prevent an original from through feeding over the butting plate, see English abstract. To prevent original 200 from through feeding over butting plate 101, sheet 9 is pressed to butting plate 101 by pressure plate 13, see Figures 2a and 2b. Pressure plate 13 is at all times separated from original 200 by white sheet 9 and does not present sloped surface 13a to original 200. Original 200 does not pass over pressure plate 13 to be deflected. Therefore, *Kazunobu* does not meet the claim limitation “a registration tab disposed to deflect an edge of said media when the media passes over the registration tab.” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejection of record with respect to claim 1, and the claims dependent therefrom, be withdrawn.

In response to Appellant’s above-stated position, Appellee states in the final Office Action that “the sloped surface, 13a, acts on the white sheet 9, which then acts on the original sheet, 200, to deflect the original sheet downward on to the platen and into abutting alignment with the registration guide. The white sheet, 9, is an intermediate feature to facilitate the deflection of the deflection of the original by the registration tab, 13. Therefore, the registration tab does ultimately deflect the original,” see page 5 of the final Office Action. Appellant disagrees with this statement. Initially, with pressure plate 13 in the retracted

position shown in Figure 2a, roller 6 of device 1 feeds original 200 past butting plate 101 onto platen glass 100, see Figure 1. Original 200 obviously lays flat on platen glass 100 due to the Earth's gravitational force. The pressure plate 13 is lowered to close the gap between white sheet 9 and butting plate 101 and original 200 is transported toward butting plate 101 using rollers 10, see Figures 1, 2b, and 4. Appellant believes original 200 travels flat on the surface of platen glass 100 toward butting plate 101 due to the ever present force of gravity and the force sheet 9 exerts on it. When original 200 reaches butting plate 101, sheet 9 prevents original 200 from feeding over butting plate 101, that is, sheet 9 prevents original 200 from being deflected by butting plate 101. The *Kazunobu* patent clearly states that sheet 9 is pressed to butting plate 101 to stop original 200 and prevent original 200 from feeding over butting plate 101, see English abstract. Nowhere in *Kazunobu* can Appellant find support for Appellee's assertion that sheet 9 deflects original 200 downward on to the platen and into abutting alignment with the registration guide.

Even assuming *arguendo* that the Appellee's assertion is correct regarding *Kazunobu*, Appellee has not shown that *Kazunobu* meets all the limitations of claim 1. As stated previously by Appellant, claim 1 recites "a registration tab disposed to deflect an edge of said media when the media passes over the registration tab," (emphasis added). Appellant would like to point out that Appellee did not address in the final Office Action Appellant's argument stating that "original 200 does not pass over the pressure plate," which was set forth in the Amendment and is discussed above. However, as directed by M.P.E.P. § 707.07(f), "[w]here the [Appellant] traverses any rejection, the [Appellee] should, if he or she repeats the rejection, take note of the [Appellant's] argument and answer the substance of it." Appellant therefore requests that the Appellee set forth an answer addressing the substance of the Appellant's distinguishing arguments with respect to claim 1 in order that Appellant may have a full and fair opportunity to explore the patentability of this claim as provided for under M.P.E.P. § 706.07. Accordingly, Appellant respectfully requests, pursuant to M.P.E.P. § 706.07(c), that the Appellee reconsider the final status of the Office Action and withdraw the finality of the rejection pursuant to M.P.E.P. § 706.07(d).

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claims 2, 3, 7, 9, 10, and 12 are

asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 1.

2. Claim 4

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claim 4 is asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 1.

Additionally, claim 4 recites “wherein said registration tab comprises a member presenting a sloped surface to said edge of said media” Appellant asserts that *Kazunobu* teaches that sheet 9 is pressed to butting plate 101 by pressure plate 13 to prevent an original 200 from through feeding over butting plate 101, see Figures 2a and 2b. Pressure plate 13 is at all times separated from original 200 by white sheet 9 and does not present sloped surface 13a to original 200. Therefore, *Kazunobu* does not meet the claim limitation “wherein said registration tab comprises a member presenting a sloped surface to said edge of said media” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejection of record with respect to claim 4 be withdrawn.

3. Claims 5 and 6

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claims 5 and 6 are asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 1.

Additionally, claim 5 recites “wherein said registration tab is movable to . . . remain extended when said media is moved past said registration tab toward said registration guide.” As can be see in Figure 2b in the *Kazunobu* patent, when sheet 9 is pressed to butting plate 101 by pressure plate 13 to prevent an original 200 from through feeding over butting plate 101, original 200 stops at butting plate 13. Original 200 does not move past pressure plate 13. Therefore, *Kazunobu* does not meet the claim limitation “wherein said registration tab is movable to . . . remain extended when said media is moved past said registration tab toward

said registration guide.” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejections of record with respect to claims 5 and 6 be withdrawn.

4. Claim 8

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claim 8 is asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 1.

Additionally, claim 8 recites “wherein said registration tab is not movable independent of moving a component of a host system to which said registration tab is attached.” Pressure plate 13 of *Kazunobu* is movable independent of all other components of device 1, see Figures 2a , 2b, and 3. Therefore, *Kazunobu* does not meet the claim limitation “wherein said registration tab is not movable independent of moving a component of a host system to which said registration tab is attached.” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejection of record with respect to claim 8 be withdrawn.

5. Claim 12

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claim 12 is asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 1.

Additionally, claim 12 recites “wherein said registration tab has a smooth outer surface to slidably direct said media.” Appellant asserts that in the *Kazunobu* patent, pressure plate 13 is at all times separated from original 200 by white sheet 9, see Figures 2a and 2b. Pressure plate 13 does not present surface 13a to original 200, and as such, surface 13a does not slidably direct original 200. Therefore, *Kazunobu* does not meet the claim limitation “wherein said registration tab has a smooth outer surface to slidably direct said media.” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejection of record with respect to claim 12 be withdrawn.

6. Claim 13

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claim 13 is asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 1.

Additionally, claim 13 recites “wherein said registration tab has a triangular shape.” Appellant asserts that in the *Kazunobu* patent, pressure plate 13 does not have a triangular shape, see Figures 2a and 2b. Therefore, *Kazunobu* does not meet the claim limitation “wherein said registration tab has a triangular shape.” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejection of record with respect to claim 13 be withdrawn.

B. The 35 U.S.C. § 103 Rejections over *Kazunobu*

Claims 11 and 16-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kazunobu*. However, to render a claim unpatentable under 35 U.S.C. § 103, all the claim limitations must be taught or suggested by the prior art, M.P.E.P. § 2143.03. Additionally, if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious, see MPEP § 2143.03. The 35 U.S.C. § 103(a) rejections on record do not meet the foregoing criteria. Accordingly, Appellant respectfully traverses this rejections.

1. Claim 11

As discussed above, *Kazunobu* does not meet the claim limitations of claim 1. Claim 11 is dependent on claim 1 and includes all of the limitations of claim 1. Because these claim limitations are not met by *Kazunobu*, the 35 U.S.C. § 103(a) rejection of claims 11 fails at least for the reasons set forth for claim 1. Appellant respectfully requests withdrawal of the rejection.

Additionally, claim 11 recites “wherein said media comprises photographic media.” Appellee concedes that *Kazunobu* teaches media comprising sheet media and does not specifically teach media comprising photographic media. However, Appellee states that sheet media is a broad recitation and therefore photographic media is encompassed in the

recitation of sheet media, see page 3 of the Action. Appellee asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made “to use photographic media with the de-skewing system taught by [*Kazunobu*] if one desired to be able to photocopy and scan photographs.” Appellant respectfully disagrees. The system taught by *Kazunobu* comprises a singulator and take-up mechanism having a “C-shaped” feed path, see Figure 1. As discussed in Appellant’s specification, such “C-shaped” feed paths work adequately with respect to typical paper stock, but are typically unacceptable for use with other media, such as photographic media, see [0002]. For example, the thick rigid nature of the photographic media results in jams and misfeeds. The photographic media might also be damaged when using a singulator and take-up mechanism having a “C-shaped” feed path. Accordingly, one of ordinary skill in the art would not have been motivated to make the proffered combination.

Moreover, it is well established that the prior art must suggest the desirability of the claimed invention, M.P.E.P. § 2143.01. As can be seen from the abstract and figures, *Kazunobu* does not set forth such desirability. The Appellee states it would have been obvious to one of ordinary skill in the art at the time of the invention “to use photographic media with the de-skewing system taught by [*Kazunobu*] if one desired to be able to photocopy and scan photographs,” see page 3 of the Office Action. Appellee does not provide a reason for the combination except to achieve the results of the combination. Appellee provides a mere statement that the reference can be modified, and does not state any desirability for making the modification. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination, see M.P.E.P. § 2143.01 citing *In re Mills*, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). Thus, the motivation provided by Appellee is improper, as the motivation must establish the desirability for making the modification.

2. Claims 16 and 20

In rejecting claim 16, the Appellee concedes that *Kazunobu* does not explicitly teach a method for de-skewing media using an automatic feeder, see page 4 of the Office Action. However, the Appellee asserts that the apparatus disclosed in *Kazunobu* would obviously perform the method steps of claims 16-20.

Claim 16 recites “translating said media in a first direction to pass a first edge of said media by said registration tab.” As discussed above for claim 1, the *Kazunobu* patent discloses a pressure plate which only functions as a sheet pressing means which opens and closes the gap between a white sheet and a butting plate to prevent an original from through feeding over the butting plate, see English abstract. To prevent original 200 from through feeding over butting plate 101, sheet 9 is pressed to butting plate 101 by pressure plate 13, see Figures 2a and 2b. Pressure plate 13 is at all times separated from original 200 by white sheet 9 and does not present sloped surface 13a to original 200, see Figure 2b. A first edge of original 200 does not pass by pressure plate 13 when translating the media toward butting plate 101. Therefore, *Kazunobu* does not meet the claim limitation “translating said media in a first direction to pass a first edge of said media by said registration tab.”

Appellant would like to point out that Appellee did not address in the final Office Action Appellant’s argument stating that “first edge of original 200 does not pass by the pressure plate,” which was set forth in the Amendment and discussed above. However, as directed by M.P.E.P. § 707.07(f), “[w]here the [Appellant] traverses any rejection, the [Appellee] should, if he or she repeats the rejection, take note of the [Appellant’s] argument and answer the substance of it.” Appellant therefore requests that the Appellee set forth an answer addressing the substance of the Appellant’s distinguishing arguments with respect to claim 16 in order that Appellant may have a full and fair opportunity to explore the patentability of this claim as provided for under M.P.E.P. § 706.07.

Additionally claim 16 recites “deflecting with said registration tab said first edge toward said registration guide.” As discussed above, the pressure plate disclosed in *Kazunobu* only functions as a sheet pressing means which opens and closes the gap between a white sheet and a butting plate. To prevent original 200 from through feeding over butting plate 101, sheet 9 is pressed to butting plate 101 by pressure plate 13, and these two [sheet and butting plate] are closed together,” see English Abstract and Figures 2a and 2b. Pressure plate 13 is at all times separated from original 200 by white sheet 9 and does not present sloped surface 13a to a first edge of original 200, see Figure 2b. Pressure plate 13 does not deflect the first edge of original 200 toward butting plate 101. In other words, the registration tab does not deflect the first edge of the media toward the registration guide. Therefore,

Kazunobu does not meet the claim limitation “translating said media in a first direction to pass a first edge of said media by said registration tab.”

Appellant would like to point out that Appellee did not specifically address in the final Office Action Appellant’s argument stating that “pressure plate 13 does not deflect [the] first edge [of original 200],” which was set forth in the Amendment and is discussed above. “Where the [Appellant] traverses any rejection, the [Appellee] should, if he or she repeats the rejection, take note of the [Appellant’s] argument and answer the substance of it,” see M.P.E.P. § 707.07(f).

If, however, Appellee intended for the comments in the final Office Action regarding claim 1 to also be considered as basis for the rejection of claim 16, Appellant traverses the rejection of claim 16. Appellee states that “the sloped surface, 13a, acts on the white sheet, 9, which then acts on the original sheet, 200, to deflect the original sheet downward on to the platen and into abutting alignment with the registration guide. The white sheet, 9, is an intermediate feature to facilitate the deflection of the original by the registration tab, 13. Therefore, the registration tab does ultimately deflect the original,” see page 5 of the final Office Action. As discussed previously, Appellant disagrees with this statement. Initially, with pressure plate 13 in the retracted position shown in Figure 2a, roller 6 of device 1 feeds original 200 past butting plate 101 onto platen glass 100, see Figure 1. Original 200 obviously lays flat on platen glass 100 due to the Earth’s gravitational force. The pressure plate 13 is lowered to close the gap between white sheet 9 and butting plate 101 and original 200 is transported toward butting plate 101 using rollers 11, see Figures 1, 2b, and 4. Appellant believes original 200 travels flat on the surface of platen glass 100 toward butting plate 101 due to the ever present force of gravity and the force sheet 9 exerts on it. When original 200 reaches butting plate 101, sheet 9 prevents original 200 from feeding over butting plate 101, that is, sheet 9 prevents original 200 from being deflected by butting plate 101. The *Kazunobu* abstract clearly states that sheet 9 is pressed to butting plate 101 to stop original 200 and prevent original 200 from feeding over butting plate 101, see English abstract. Nowhere in *Kazunobu* can Appellant find support for Appellee’s assertion that sheet 9 deflects original 200 downward on to the platen and into abutting alignment with the registration guide.

Moreover, claim 16 recites “continuing to apply a translation force to said media after at least a portion of said first edge engages said registration guide, thereby de-skewing said media.” Nowhere in the abstract of the cited reference is this taught or suggested. Therefore, the Appellee’s assertion must be based solely on the assessment of the figures in the *Kazunobu* patent. Appellant disagrees that such a conclusion can be made from any of the figures. Absent some basis for determining that the apparatus disclosed in *Kazunobu* would perform the step at hand, Appellant asserts that this limitation is also not met by *Kazunobu*.

In response to Appellant’s above-stated position, Appellee states in the final Office Action that *Kazunobu* does perform the step of continuing to apply a translation force to said media after at least a portion of said first edge engages said registration guide, see page 6 of the Office Action. Specifically, Appellee asserts that “the abstract teaches that the sheet [media, original 200] is reversely fed into the registration guide, [butting plate] 101, and that the registration tab, [pressure plate] 13, prevents the document from being fed through and over top of the butting plate by deflecting the edge of the original 200. Therefore, if the registration tab, 13, were not used the original would be reversely fed over and beyond the registration guide, 101, indicating a continued application of translation force after the original reaches the front of the registration guide. The registration tab, 13, in cooperation with the registration guide, 101, prevent the original from being reversely translated over the guide, and therefore is the reason that the document is not further transported by the continued translational force,” see page 6 of the final Office Action.

Appellant respectfully asserts that the cited reference does not contain all the claim limitations. Accordingly, claim 16 is improperly rejected under 35 U.S.C. § 103(a). Appellant respectfully requests withdrawal of the rejection.

Additionally, the dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claim 20 is asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 16.

3. Claims 17, 18, and 19

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claims 17, 18, and 19 are

asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 16.

Additionally, claim 17 recites “translating said media in a second direction to pass a second edge of said media and said first edge over said registration tab.” In contrast to the above-identified claim limitation, the *Kazunobu* patent discloses a pressure plate which only functions as a sheet pressing means which opens and closes the gap between a white sheet and a butting plate to prevent an original from through feeding over the butting plate, see English abstract. To prevent original 200 from through feeding over butting plate 101, sheet 9 is pressed to butting plate 101 by pressure plate 13, see Figures 2a and 2b. Pressure plate 13 is at all times separated from original 200 by white sheet 9 and does not present sloped surface 13a to original 200. As such, regardless of what direction original 200 is translating, original 200 does not pass over pressure plate 13. Therefore, *Kazunobu* does not meet the claim limitation “translating said media in a second direction to pass a second edge of said media and said first edge over said registration tab.” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 103(a) rejection of record with respect to claims 17 be withdrawn.

Additionally, the dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claims 18 and 19 are asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 17.

4. Claims 21, 22, 24, and 25

Claim 21 recites “a media translation mechanism disposed to . . . cause an edge of the media to engage said registration tab, wherein engaging said registration tab by said edge causes said edge to deflect towards a registration guide.” In rejecting claim 21, Appellee states that *Kazunobu* teaches “an automatic media feeder with . . . a registration tab, [pressure plate] 13, and a media translation mechanism to cause an edge of the media to engage the registration tab, 13, which causes the media to deflect toward a registration guide, [butting plate] 101,” see page 5 of the Office Action. Appellant respectfully disagrees. In contrast to the above-identified claim limitation, the *Kazunobu* patent discloses a pressure plate which only functions as a sheet pressing means which opens and closes the gap between a white

sheet and a butting plate to prevent an original from through feeding over the butting plate, see English abstract. To prevent original 200 from through feeding over butting plate 101, sheet 9 is pressed to butting plate 101 by pressure plate 13, see Figures 2a and 2b. Pressure plate 13 is at all times separated from original 200 by white sheet 9 and does not present sloped surface 13a to original 200. The edge of original 200 does not engage pressure plate 13 and is not deflected towards butting plate 101 by engaging pressure plate 13. Therefore, *Kazunobu* does not meet the claim limitation “a media translation mechanism disposed to . . . cause an edge of the media to engage said registration tab, wherein engaging said registration tab by said edge causes said edge to deflect towards a registration guide.”

Additionally, Appellant would like to point out that Appellee did not address in the final Office Action Appellant’s argument stating that the “edge of original 200 does not engage the pressure plate and is not deflected towards the registration guide by engaging the pressure plate,” which was set forth in the Response and discussed above. “Where the [Appellant] traverses any rejection, the [Appellee] should, if he or she repeats the rejection, take note of the [Appellant’s] argument and answer the substance of it,” see M.P.E.P. § 707.07(f).

If, however, Appellee intended for the comments in the final Office Action regarding claim 1 to also be considered as basis for the rejection of claim 21, Appellant traverses the rejection of claim 21. Appellee states that “the sloped surface, 13a, acts on the white sheet, 9, which then acts on the original sheet, 200, to deflect the original sheet downward on to the platen and into abutting alignment with the registration guide. The white sheet, 9, is an intermediate feature to facilitate the deflection of the original by the registration tab, 13. Therefore, the registration tab does ultimately deflect the original,” see page 5 of the final Office Action. As discussed previously, Appellant disagrees with this statement. Initially, with pressure plate 13 in the retracted position shown in Figure 2a, roller 6 of device 1 feeds original 200 past butting plate 101 onto platen glass 100, see Figure 1. Original 200 obviously lays flat on platen glass 100 due to the Earth’s gravitational force. The pressure plate 13 is lowered to close the gap between white sheet 9 and butting plate 101 and original 200 is transported toward butting plate 101 using rollers 11, see Figures 1, 2b, and 4. Appellant believes original 200 travels flat on the surface of platen glass 100 toward butting plate 101 due to the ever present force of gravity and the force sheet 9 exerts on it. When

original 200 reaches butting plate 101, sheet 9 prevents original 200 from feeding over butting plate 101, that is, sheet 9 prevents original 200 from being deflected by butting plate 101. The *Kazunobu* abstract clearly states that sheet 9 is pressed to butting plate 101 to stop original 200 and prevent original 200 from feeding over butting plate 101, see English abstract. Nowhere in *Kazunobu* can Appellant find support for Appellee's assertion that sheet 9 deflects original 200 downward on to the platen and into abutting alignment with the registration guide. Additionally, claim 21 requires that original 200 be deflected towards butting plate 101 by engaging pressure plate 13. Appellant asserts that this claim limitation is not met by *Kazunobu*.

Claim 21 recites “. . . photographic media . . .” Appellee concedes that *Kazunobu* teaches media comprising sheet media and does not specifically teach media comprising photographic media. However, Appellee states that sheet media is a broad recitation and therefore photographic media is encompassed in the recitation of sheet media, see page 5 of the Action. Appellee asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made “to use photographic media with the de-skewing system taught by [*Kazunobu*] if one desired to be able to photocopy and scan photographs.” Appellant respectfully disagrees. The system taught by *Kazunobu* comprises a singulator and take-up mechanism having a “C-shaped” feed path, see Figure 1. As discussed in Appellant's specification, such “C-shaped” feed paths work adequately with respect to typical paper stock, but are typically unacceptable for use with other media, such as photographic media, see [0002]. For example, the thick rigid nature of the photographic media results in jams and misfeeds. The photographic media might also be damaged when using a singulator and take-up mechanism having a “C-shaped” feed path. Accordingly, one of ordinary skill in the art would not have been motivated to make the proffered combination.

In response to Appellant's above-stated position, Appellee states that *Kazunobu* teaches feeding of photographic sheets because *Kazunobu* photographic sheets are a form of sheet media and *Kazunobu* does not specifically exclude photographic sheets from the sheet media, see page 6 of the final Office Action. Appellant asserts that Appellee has not properly set forth grounds for a rejection under 35 U.S.C. § 103. If the foregoing statement is an attempt to establish obviousness under 35 U.S.C. § 103, the requirements of such a rejection have not been made of record, see *Graham v. John Deere and Co.*, 383 U.S. 1 (1966).

Alternatively, if the foregoing is an attempt to establish that the claim limitation is inherent, the requirements of such a rejection also have not been made of record. In order to properly establish a rejection based on inherency, “the Appellee must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art,” M.P.E.P. § 2112 (citing *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)) (emphasis original). As such, the 35 U.S.C. § 103 rejection of claim 21 is improper and should be withdrawn.

Moreover, it is well established that the prior art must suggest the desirability of the claimed invention, M.P.E.P. § 2143.01. As can be seen from the abstract and figures, *Kazunobu* does not set forth such desirability. The Appellee states it would have been obvious to one of ordinary skill in the art at the time of the invention “to use photographic media with the de-skewing system taught by [*Kazunobu*] if one desired to be able to photocopy and scan photographs,” see page 5 of the Office Action. Appellee does not provide a reason for the combination except to achieve the results of the combination. Appellee provides a mere statement that the reference can be modified, and does not state any desirability for making the modification. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination, see M.P.E.P. § 2143.01 citing *In re Mills*, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). Thus, the motivation provided by Appellee is improper, as the motivation must establish the desirability for making the modification.

Appellant would also like to point out that Appellee did not address in the final Office Action Appellant’s argument stating that the “the motivation provided by Appellee is improper, as the motivation must establish the desirability for making the modification,” which was set forth in the Response and discussed above. However, as directed by M.P.E.P. § 707.07(f), “[w]here the [Appellant] traverses any rejection, the [Appellee] should, if he or she repeats the rejection, take note of the [Appellant’s] argument and answer the substance of it.” Appellant therefore requests that the Appellee set forth an answer addressing the substance of the Appellant’s distinguishing arguments with respect to claim 21 in order that Appellant may have a full and fair opportunity to explore the patentability of this claim as provided for under M.P.E.P. § 706.07.

Because not all the claim limitations are taught by *Kazunobu* and there is no teaching, suggestion or motivation to make the modification, the Appellee's rejection under 35 U.S.C. §103(a) fails. Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 103(a) rejection of record with respect to claim 21 be withdrawn.

Additionally, the dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claims 22, 24, and 25 are asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 21.

5. Claim 23

The dependent claims incorporate the limitations of the claims from which they depend, see 35 U.S.C. § 112, fourth paragraph. Accordingly, claim 23 is asserted to be patentable over the art of record at least for the reasons set forth above with respect to claim 21.

Additionally, claim 23 recites "wherein said registration tab is cast as a monolithic member of said movable lid portion" Appellant asserts that *Kazunobu* only teaches using pressure plate 13 to aid in registration of media and does not teach a registration tab cast as a monolithic member. Therefore, *Kazunobu* does not meet the claim limitation "wherein said registration tab is cast as a monolithic member of said movable lid portion" Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 103(a) rejection of record with respect to claim 23 be withdrawn.

C. The 35 U.S.C. § 103 Rejections over *Kazunobu* in view of *Silverberg*

Claims 14 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Kazunobu* in view of *Silverberg*. However, to render a claim unpatentable under 35 U.S.C. § 103, all the claim limitations must be taught or suggested by the prior art, M.P.E.P. § 2143.03. Additionally, obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art, see MPEP 2143.01. Moreover, if an independent claim is nonobvious under 35 U.S.C. 103, then

any claim depending therefrom is nonobvious, see MPEP § 2143.03. The 35 U.S.C. § 103(a) rejections on record do not meet the foregoing criteria. Accordingly, Appellant respectfully traverses this rejections.

1. Claim 14

As discussed above, claim 1 is not anticipated by *Kazunobu* and is, therefore, unobvious in view of *Kazunobu*. Because claim 14 is dependent on claim 1, *Kazunobu* does not render claim 14 obvious. Appellant does not believe the limitations absent from *Kazunobu* are found in *Silverberg* and the Appellee has not shown otherwise. Therefore, *Kazunobu* in view of *Silverberg* does not render claim obvious at least for the reasons set forth for claim 1. Appellant respectfully requests withdrawal of the rejection.

Additionally, claim 14 recites “a feed belt to provide translation of said media” In rejecting claim 14, Appellee concedes that *Kazunobu* teaches rollers 11 to provide translation of original 200 and does not teach a feed belt, see page 3 of the Office Action. Appellee states “Silverberg, however, does teach the use of vacuum feed belts in a document feeder that translates documents to a registration position. It would have been obvious to one of ordinary skill in the art to use the vacuum feed belts of Silverberg in place of the rollers taught by [*Kazunobu*] if one desired to reduce initial skew of the sheets by using belts rather than rollers, and to prevent damaging the sheets by over-riding the sheets into the registration guide,” see page 3 of the Office Action. Appellant respectfully disagrees. *Silverberg* discloses a “document handling system to provide a document platen transport system and registration system . . . which provides the positive registration gate system of a multiple belt transport with the advantages of a vacuum transport system,” see column 5 lines 56-63. *Silverberg* states that the “platen transport system must repeatedly feed document sheets over the platen and into registration without causing wear or damage to . . . the document,” and that the “document must be initially transported without skew or slippage,” see column 1 lines 25-30. *Silverberg* attributes the above mentioned benefits to a platen transport system which comprises both a belt transport system and a vacuum transport system, not to a belt transport system alone, as required by claim 14. Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 103(a) rejection of record with respect to claim 14 be withdrawn.

Moreover, it is well settled that the fact that references can be combined or modified is not sufficient to establish a *prima facie* case of obviousness, see M.P.E.P. § 2143.01. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination, see M.P.E.P. § 2143.01 (citing *In re Mills*, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990)). Thus, the motivation provided by the Appellee is improper, as the motivation must establish the desirability for making the modification.

Furthermore, Appellant respectfully reminds the Appellee that it is the claimed invention as a whole which must be considered when applying 35 U.S.C. § 103, see M.P.E.P. § 2141. Appellant respectfully asserts that the Appellee's dissection of the elements for evaluation in isolation is improper in the 35 U.S.C. § 103 consideration. "In determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious," see M.P.E.P. § 2141.02, citing *Stratoflex, Inc. v. Aeroquip Corp.*, 218 U.S.P.Q. 871 (Fed. Cir. 1983); *Scheneck v. Norton Corp.*, 218 U.S.P.Q. 698 (Fed. Cir. 1983) (emphasis original).

In view of the arguments set forth above, neither *Kazunobu* nor *Kazunobu* in view of *Silverberg* meet the claim limitation "a feed belt to provide translation of said media" Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejection of record with respect to claim 14 be withdrawn.

2. Claim 15

As discussed above, claim 1 is not anticipated by *Kazunobu* and is, therefore, unobvious in view of *Kazunobu*. Because claim 15 is dependent on claim 1, *Kazunobu* does not render claim 15 obvious. Appellant does not believe the limitations absent from *Kazunobu* are found in *Silverberg* and the Appellee has not shown otherwise. Therefore, *Kazunobu* in view of *Silverberg* does not render claim obvious at least for the reasons set forth for claim 1. Appellant respectfully requests withdrawal of the rejection.

Additionally, claim 15 recites "a vacuum orifice providing a reduced pressure area to cooperate with said feed belt in providing translation of said media." In rejecting claim 15,

Appellee concedes that *Kazunobu* teaches rollers 11 to provide translation of original 200 and does not teach a feed belt, see page 3 of the Office Action. Appellee states “Silverberg, however, does teach the use of vacuum feed belts in a document feeder that translates documents to a registration position. It would have been obvious to one of ordinary skill in the art to use the vacuum feed belts of Silverberg in place of the rollers taught by [*Kazunobu*] if one desired to reduce initial skew of the sheets by using belts rather than rollers, and to prevent damaging the sheets by over-riding the sheets into the registration guide,” see page 3 of the Office Action. Appellant respectfully disagrees.

It is well settled that the fact that references can be combined or modified is not sufficient to establish a *prima facie* case of obviousness, see M.P.E.P. § 2143.01. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination, see M.P.E.P. § 2143.01 (citing *In re Mills*, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990)). Thus, the motivation provided by the Appellee is improper, as the motivation must establish the desirability for making the modification.

Additionally, proper motivation has not been provided for the modification to *Kazunobu* proffered in the Office Action to meet the present claim. For example, the 35 U.S.C. § 103 rejection of record based upon *Kazunobu* in view of *Silverberg* generally states that the secondary reference teaches some aspect of the claim missing from the primary reference and, therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to include the identified aspect of the secondary reference “if one desired to reduce initial skew of the sheets by using belts rather than rollers, and to prevent damaging the sheets by over-riding the sheets into the registration guide,” see page 3 of the Office Action. However, the art of record does not provide any suggestion that such a modification would result in any improvement in the system of the respective primary reference, nor has the Appellee shown otherwise. Accordingly, the statement of motivation is nothing more than a statement that the references could be combined to provide some unsuggested and unknown improvement.

Moreover, in establishing obviousness under 35 U.S.C. § 103(a), the proposed modification to the prior art cannot render the prior art unsatisfactory for its intended

purpose, M.P.E.P. § 2143.01. As stated previously for claim 14, *Silverberg* attributes the above mentioned benefits to a platen transport system which comprises both a belt transport system and a vacuum transport system. The belt transport system, including transport belts 30, and the vacuum transport system, including a vacuum source 28, vacuum plenum 24, and vacuum apertures 52, are located above document 17 once document 17 is fed over platen 14, see Figures 1 and 6. In *Silverberg*, vacuum is applied to a document to engage the document by picking the document up from the platen, and retain the document against belts 30 for transport, see column 9 lines 4-24. On the other hand, *Kazunobu* discloses that roller 6 of device 1 feeds original 200 past butting plate 101 onto platen glass 100, see Figure 1. Original 200 obviously lays flat on platen glass 100 due to the Earth's gravitational force. Pressure plate 13 is lowered to close the gap between white sheet 9 and butting plate 101 and original 200 is transported toward butting plate 101 using rollers 10, see Figures 1, 2b, and 4. Appellant believes original 200 travels flat on the surface of platen glass 100 toward butting plate 101 due to the ever present force of gravity and the force sheet 9 exerts on it. *Kazunobu* teaches this method as a means to achieve its intended purpose of preventing original 200 from feeding over butting plate 101, see English abstract. Replacing the rollers of *Kazunobu* with the vacuum feed belts of *Silverberg* would require the removal of sheet 9 from device 1 of *Kazunobu*. The removal of sheet 9 would destroy *Kazunobu's* method of preventing original 200 from feeding over butting plate 101. Thus, the proffered combination renders *Kazunobu* unsatisfactory for its intended purpose. Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 103(a) rejection of record with respect to claim 15 be withdrawn.

Furthermore, Appellant respectfully reminds the Appellee that it is the claimed invention as a whole which must be considered when applying 35 U.S.C. § 103, see M.P.E.P. § 2141. Appellant respectfully asserts that the Appellee's dissection of the elements for evaluation in isolation is improper in the 35 U.S.C. § 103 consideration. "In determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious," see M.P.E.P. § 2141.02, citing *Stratoflex, Inc. v. Aeroquip Corp.*, 218 U.S.P.Q. 871 (Fed. Cir. 1983); *Scheneck v. Norton Corp.*, 218 U.S.P.Q. 698 (Fed. Cir. 1983) (emphasis original).

In view of the arguments set forth above, neither *Kazunobu* nor *Kazunobu* in view of *Silverberg* meet the claim limitation “a vacuum orifice providing a reduced pressure area to cooperate with said feed belt in providing translation of said media.” Accordingly, Appellant respectfully requests that the improper 35 U.S.C. § 102 rejection of record with respect to claim 15 be withdrawn.

VIII. CLAIMS

A copy of the claims involved in the present appeal is attached hereto as Appendix A. As indicated above, the claims in Appendix A do not include any amendments after the final rejection.

IX. EVIDENCE

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the Appellee is being submitted. Accordingly, Appendix B herein does not include any evidence.

X. RELATED PROCEEDINGS

No related proceedings are referenced in II. above, or copies of decisions in related proceedings are not provided. Accordingly, Appendix C herein does not include any information with respect to related proceedings.

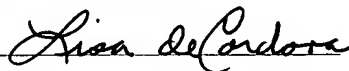
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Respectfully submitted,

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Date: October 23, 2006

APPENDIX A

Claims

1. A system for de-skewing media when using an automatic media feeder, said system comprising:
a registration guide; and
a registration tab disposed to deflect an edge of said media toward said registration guide when the media passes over the registration tab.
2. The system of claim 1, wherein said registration guide comprises an edge of a platen.
3. The system of claim 1, wherein said registration guide comprises a registration guide utilized for manual registration of media.
4. The system of claim 1, wherein said registration tab comprises a member presenting a sloped surface to said edge of said media when the media moves by said registration tab toward said registration guide.
5. The system of claim 1, wherein said registration tab is movable to retract when said media is moved past said registration tab away from said registration guide and to remain extended when said media is moved past said registration tab toward said registration guide.
6. The system of claim 5, wherein said registration tab moves about a pivot when said media passes over the registration tab away from said registration guide.
7. The system of claim 1, wherein said registration tab deflects upward when said media moves in a first direction and locks in position to deflect said media when said media moves in a second direction.
8. The system of claim 1, wherein said registration tab is not movable independent of moving a component of a host system to which said registration tab is attached.

9. The system of claim 1, wherein said registration tab is disposed in a lid portion of a host system.

10. The system of claim 9, wherein said host system comprises an optical scanner.

11. The system of claim 1, wherein said media comprises photographic media.

12. The system of claim 1, wherein said registration tab has a smooth outer surface to slidingly direct said media.

13. The system of claim 12, wherein said registration tab has a triangular shape.

14. The system of claim 1, further comprising:
a feed belt to provide translation of said media and thereby move said media past said registration guide in a direction of said registration guide.

15. The system of claim 14, further comprising:
a vacuum orifice providing a reduced pressure area to cooperate with said feed belt in providing translation of said media.

16. A method for de-skewing media when using an automatic media feeder, said method comprising:

disposing a registration tab to cooperate with a registration guide in providing de-skewing of media;

translating said media in a first direction to pass a first edge of said media by said registration tab;

deflecting with said registration tab said first edge toward said registration guide; and
continuing to apply a translation force to said media after at least a portion of said first edge engages said registration guide, thereby de-skewing said media.

17. The method of claim 16, further comprising:
translating said media in a second direction to pass a second edge of said media and said first edge over said registration tab.

18. The method of claim 17, further comprising:
allowing said registration tab to retract when said media is translated in said second direction; and
locking said registration tab in an extended position when said media is translated in said first direction.

19. The method of claim 17, wherein said translating in said second direction is provided prior to said translation in said first direction, and wherein said second edge is not passed over said registration tab by said providing translation in said first direction.

20. The method of claim 16, wherein said registration guide comprises an edge for use in manually registering media.

21. An automatic photograph feeder comprising:
a photographic media input tray;
a media singulator disposed to draw photographic media from said input tray and introduce said media in an imaging area of a host system;
a registration tab; and
a media translation mechanism disposed to accept said photographic media from said singulator and to cause an edge of the media to engage said registration tab, wherein engaging said registration tab by said edge causes said edge to deflect towards a registration guide.

22. The automatic photograph feeder of claim 21, wherein said registration tab is disposed in a movable lid portion of said host system.

23. The automatic photograph feeder of claim 22, wherein said registration tab is cast as a monolithic member of said movable lid portion of said host system.

24. The automatic photograph feeder of claim 22, wherein said input tray, said singulator, and said translation mechanism are also disposed in said movable lid portion of said host system.

25. The automatic photograph feeder of claim 21, wherein said photographic media input tray disposes said media at an angle such that when translated by said singulator a leading edge of said media does not engage said registration tab.

APPENDIX B

Evidence

None.

APPENDIX C

Related Proceedings

None.